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IN THE

Supreme Court of the United States

OCTOBER TERM 1971

No. 71-742

JASPER C. GOULD and OPAL W. GOULD, his wife,

Petitioners,

vs.

AMERICAN WATER WORKS SERVICE CO., INC., a corporation, and THE BERNARDS WATER COMPANY; a New Jersey Corporation,

Respondents.

PETITION FOR REHEARING OF PETITION FOR A WRIT OF CERTIORARI

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I have documented proof that the New Jersey Supreme Court did, with full knowledge and intent, take my personal property in defiance of a jury verdict and the Constitution of the United States and give it to the defendant without stating law, precedent, or justice to substantiate their ruling.

Their precedent setting Opinion has more value to the defendant than the case in question and proves beyond a

doubt that a *multimillion dollar corporation*, represented by an *Assemblyman* and large *political lawyer*, has more influence in the New Jersey Courts than an honest law-abiding citizen.

The defense testified in 1965 before the Division of Water Policy and Supply in their application for diversionary rights that they would need one million gallons per day from this well by 1970 and as of this writing this well is still not in service.

This case has constitutional questions which must be resolved by your court to relieve me of the illegal, immoral, and unconstitutional position into which the Opinion of the New Jersey Supreme Court has placed me and my property.

Some of these questions are:

1. Do I have the right to own and protect personal property? (*land and knowledge*).
2. Am I entitled to be compensated for admitted services requested by the defendant and performed by me? (Pump Test, see Opinion).
3. Do I have to continue to maintain and protect the admitted source of the defendants' water supply without compensation?
4. Do I have to live with a cloud upon the title to my property which can only be removed by the defendant or this court?

These are some of the questions filed in my Brief before the Appellate Tribunals in New Jersey which they refused to debate. This is tantamount to no trial of *facts* before the New Jersey Courts.

These conditions were created previously when the New Jersey Supreme Court reversed a jury verdict and wrote a precedent setting Opinion which placed me and my property in this illegal and unconstitutional position described above.

The entire Opinion is biased and contains so many errors that one must ask: Did the court ever read the transcript? or, Who wrote the Opinion?

Listed below are some of the statements made in this Opinion which raises the questions asked above:

1. The statement made on Page 2 of the Opinion is "The complaint against defendant, American Water Works Service Co., Inc., was dismissed and has not been appealed". This statement was not made in the Appendix which was presented to the Supreme Court for their review.

2. Another statement made on Page 2 of the Opinion states "Gould agreed and spent two days with their geologist showing him wells *Gould had dug on his own property* and discussing conditions he encountered in doing so". This statement proves conclusively who was seeking aid and assistance in their search for water and that the court failed to study the transcript properly because Gould showed the geologist the location and history of wells he had drilled in the franchise area of the defendant and no wells at this time had ever been drilled on Gould's property. Gould—Direct, 24A. "And at a date which we set up be brought this geologist in and introduced him to me and I spent two days with that man showing him locations where I had drilled, how much over-burden was on top of the basic rock and the yield per minute of the wells *in the area*."

3. The statement made on Page 3 of their Opinion "It is undisputed that Gould never furnished a figure", on Page 68A of the Appendix—Gould-Cross:

Question: Did Mr. Burd at that time ask you what it would cost to re-bore the well to ten inches? Answer: No, he did not.

Burd-Cross; 268A

Question: When you discussed this problem of reaming the well out with Mr. Gould and asked him for a price, what information did you give him?

Answer: I don't know as I gave him any information. I made the request for the price to ream the well to ten inches.

Mr. Burd's consistent "I don't know" or "I can't remember" answers to questions about important details relevant to such a request prove conclusively that Mr. Burd had never requested a price for reaming this well but simply stated that it had to be ten inches in diameter to receive their pumping equipment. A jury verdict corroborated this statement. Apparently, at this time in the negotiations, the defendant did intend to purchase my well.

4. On Page 3 of the Opinion, the court stated "Burd said he would find out from his superiors, and a few days later he advised Gould his superior would like to have such a test." This proves that at least one service was requested and performed for which I have not been compensated.

There are too many errors in this Opinion to list here and too many irregularities by the courts and my law-

yer to be accidental. Indications are that someone with *power* and *influence* was directing the acts of this case from its inception.

Your court has denied this request on three different occasions: once because you were too busy; once without citing any reasons; and, once without any benefit of a Brief filed by the defense. It seems to indicate to me that there is an alliance between the courts, or that the *justices* never actually received these Petitions.

I have made mention of errors in the Opinion of the New Jersey Supreme Court. This Opinion was filed with my original Brief for Certioari, however, it is not filed in my latest Petition for Certiorari. If the court needs a copy, please advise.

The New Jersey Supreme Court is not a defendant at this time in this case but the respondent water companies are and they are the recipients of the benefits of my work, knowledge and money through the illegal, immoral, and unjust ruling of the New Jersey Supreme Court.

The facts listed here and in my Petition for Certiorari plus Title 42 of the United States Code Annotated, section 1983 and my constitutional rights mandate action by your court.

Please grant my request for a hearing or state some law, precedent or justice to substantiate your refusal.

JASPER C. GOULD, *Pro Se*
Box 636
Bernardsville, N. J.

Certificate of Counsel

I, Jasper C. Gould, do hereby certify that the foregoing petition for a rehearing of this cause is true and presented in good faith and not for the purpose of delay.

Dated: March 13, 1972

JASPER C. GOULD,
Pro Se.